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**Legislative Decree No. (38) of 2012 amending some provisions of Legislative Decree No. (27) of 2002 regarding the establishment of the Constitutional Court**

We, Hamad bin Isa Al Khalifa, King of the Kingdom of Bahrain.

Having reviewed the Constitution;

National Audit Office Law promulgated by Legislative Decree No. (16) of 2002, amended by Legislative Decree No. (49) of 2010;

Legislative Decree No. (27) of 2002 regarding the establishment of the Constitutional Court;

Legislative Decree No. (39) of 2002 regarding the General Budget, amended by Law No. (3) of 2007;

And the Civil Service Law promulgated by Legislative Decree No. (48) of 2010;

And after consulting the General Assembly of the Constitutional Court,

And after the approval of the Council of Ministers;

**Hereby Decree the following Law:**

**Article One**

Texts of Articles (2), (3), and (7) second paragraph of Legislative Decree No.(27) of 2002 regarding the establishment of the Constitutional Court shall be replaced with the following texts:

**Article (2):**

In applying the provisions of this Law, the word “Court” shall mean the Constitutional Court, and the term “Member of the Court” shall mean the President of the Court, his Vice-President, and the Members of the Court.

**Article (3)**

The Court shall be composed of a President, a Vice-President, and five Members, who are appointed by royal order for a period of five years, renewable once.

In the event of the President’s absence or if there is an impediment in his presence, the Vice-President shall replace him, and shall have the same competences and powers assigned to the president.

If the seat of the President of the Court, his Vice-President, or one of its Members becomes vacant due to resignation, death, health disability, or any other reason, a replacement shall be appointed by royal order for a period of five years, renewable once.

**Article (7) Second Paragraph:**

The General Assembly is presided over by the President of the Court, and in the event of the President’s absence or if there is an impediment in his presence, the presidency shall be for the Vice-President and then for the next one of the Members of the Court according to the order specified in the royal order promulgated for their appointment.

**Article Two**

A new Article No. (8) bis shall be added to Legislative Decree No. (27) of 2002 on the establishment of the Constitutional Court, which reads as follows:

**Article (8) bis**

The Court shall have an independent annual budget, which begins at the beginning of the State's fiscal year and ends at the end of it.

The President of the Court, in agreement with the Minister of Finance, shall prepare the draft budget well in advance of the start of the fiscal year. It shall be taken into consideration when preparing the project that both revenues and expenses are included as a single figure, and the draft budget shall be submitted to the Minister of Finance.

After approving the State's general budget, the President of the Court shall, in coordination with the Minister of Finance, distribute the total appropriations for the budget of the Court on the basis of classification in the State's general budget.

The President of the Court shall exercise the powers vested in the Minister of Finance in the laws and regulations regarding the implementation of the budget of the Court within the limits of the appropriations included therein. The President of the Court shall also exercise the powers vested in the Civil Service Bureau.

The Court shall transfer the surplus financial appropriations that were not disbursed or committed during the past fiscal year to the State's general budget.

The President of the Court shall prepare the final account of the budget of the Court on the set dates, and refers it to the Minister of Finance to include it in the final account of the State's general budget.

Without prejudice to the oversight of the National Audit Office, the budget of the Court and its final account shall be subject to the laws regulating the State's general budget and its final account.

**Article Three**

The Prime Minister and the ministers - each within his jurisdiction - shall implement this Law, and it shall come into force from the day following the date of its publication in the Official Gazette.

**King of the Kingdom of Bahrain**

**Hamad bin Isa Al Khalifa**

**Prime Minister**

**Khalifa bin Salman Al Khalifa**

Issued at Riffa Palace:

On 26 Ramadan 1433 A.H.

Corresponding to: 14 August 2012